

# **SDMS US EPA REGION V -1**

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U.S. Department of Labor

Occupational Safety and Health Administration  
11 Executive Drive, Suite 11  
Fairview Heights, IL 62208  
618/632-8612



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CWM - TRADE WASTE INCINERATION  
ILD098642424  
COMPLIANCE

November 3, 1994

Michael D. Grant  
Environmental Protection Specialist  
Bureau of Land  
Illinois Environmental Protection Agency  
2009 Mall Street  
Collinsville, Illinois 62234

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IEPA

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COLLINSVILLE, ILLINOIS

Dear Mr. Grant:

**SUBJECT: Trade Waste Incineration, OSHA Inspection 103280020, #7**  
**Mobil Avenue, Sauget, Illinois 62201**

In response to your referral concerning safety and health hazards at Trade Waste Incineration in Sauget, Illinois, the Occupational Safety and Health Administration has conducted an inspection there. That inspection was completed on November 1, 1994. The results of our investigation of your complaint items were as follows:

*Serious citations were issued for the following....*

1. 29 CFR 1910.134(e)(3)(i) for employees working in areas where the respirator wearer, with failure of the respirator could have been overcome by a toxic or oxygen-deficient atmosphere, at least one additional man was not present in the Unit #4 truck unloading area.
2. 29 USC 654 Section 5(a)(1) for violations of the General Duty Clause of the Occupational Safety and Health Act of 1970 where the employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to. More specifically the employees were exposed to fall hazards from a height exceeding 10'-0".

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3. 29 CFR 1910.120(p)(6) for allowing flammable or combustible liquids to be transferred from one container to another without both containers being effectively bonded and grounded to prevent discharge sparks of static electricity as required by 29 CFR 1910.120(j)(3).

4. 29 CFR 1910.132(a) where protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered in that flame retardant clothing was not used where flammable materials were handled and stored.

5. 29 CFR 1910.95(c)(1) because a continuing, effective hearing conservation program as described in 29 CFR 1910.95(c) through (n) was not instituted when employee noise exposures equaled or exceeded an 8-hour time-weighted average sound level (TWA) of 85 dBA.

6. 29 CFR 1910.119(j)(2) since the employer did not establish and implement written procedures to maintain the on-going mechanical integrity of process equipment in that the inspector for tanks was not certified and process changes were not properly reviewed prior to installation.

*Other than serious citations were issued for the following....*

1. 29 CFR 1910.120(p)(7)(i) because employees who had received the initial training required were not given a written certificate attesting that they had successfully completed such training.

2. 29 CFR 1904.2(a) because the log and summary of occupational injuries and illnesses (OSHA Form No. 200 or its equivalent) was not completed in the detail provided in the form and the Instructions contained therein.

3. 29 CFR 1904.5(b) because the annual summary of occupational injuries and illnesses (applicable portion of OSHA Form No. 200) for the previous calendar year was not completed prior to February 1 for the last five years of records.

4. 29 CFR 1904.5(c) because the annual summary of occupational injuries and illnesses (applicable portion of OSHA Form No. 200) was not certified as true and complete.

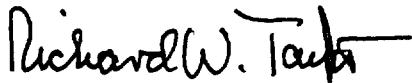
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If you do not agree with the Area Director's determination that a citation is not warranted with respect to a danger or violation which you alleged to exist, then you may contact the Area Director for clarification of the matter.

Attached for you information is a copy of the OSHA-2, Citation and Notification of Penalty, which was sent to the employer on 11/3/94 and should have been posted at the workplace for at least three days after receipt.

Thank you for your concern for a safe and healthful workplace.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard W. Taft". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Peggy A. Zweber  
Area Director

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U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 103280020  
Inspection Dates: 05/16/94 - 05/20/94  
Issuance Date: 11/03/94



**Citation and Notification of Penalty**

Company Name: Trade Waste Incineration Div. of Chem. Waste Mgmt.  
Inspection Site: #7 Mobile Avenue, Sauget, IL 62201

**Citation 1 Item 1** Type of Violation: **Serious**

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to:

- a) Employees climb on tanker trucks while dressed out in "Level B" protection without the use of fall protection in the tanker unloading area at the south end of Unit #4 exposing them to unnecessary fall hazards from a height of approximately 12'0" to 13'0".
- b) Employees climb on tanker trucks while dressed out in "Level B" protection without the use of fall protection in the tanker unloading area at the north end of Unit #2 exposing them to unnecessary fall hazards from a height of approximately 12'0" to 13'0".

Date By Which Violation Must be Abated: 12/09/94  
Proposed Penalty: \$ 3250.00

**Citation 1 Item 2** Type of Violation: **Serious**

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to:

- a) Employees climb on tanker trucks while dressed out in "Level C" protection with fall protection limited to a single hand rail at the tanker unloading area at the north end of Incinerators 2 and 3 exposing them to unnecessary fall hazards from a height of approximately 12'0" to 13'0".

Date By Which Violation Must be Abated: 12/09/94  
Proposed Penalty: \$ 3250.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 103280020  
Inspection Dates: 05/16/94 - 05/20/94  
Issuance Date: 11/03/94



**Citation and Notification of Penalty**

Company Name: Trade Waste Incineration Div. of Chem. Waste Mgmt.  
Inspection Site: #7 Mobile Avenue, Sauget, IL 62201

**Citation 1 Item 3** Type of Violation: **Serious**

29 CFR 1910.95(c)(1): A continuing, effective hearing conservation program as described in 29 CFR 1910.95(c) through (n) was not instituted when employee noise exposures equaled or exceeded an 8-hour time-weighted average sound level (TWA) of 85 dBA:

a) The employer did not ensure the functional operation of the audiometer annually or bi annually as required by 29 CFR 1910.95(h)(5)(ii) and (iii) and per Mandatory Appendix E and per American National Standard Specifications for Audiometers. Employee's medical records indicated testing was done from 1990 to 1993 using a Maico Audiometer, Serial # 82-282, Model MA39, last certified November 22, 1989

b) The employer did not inform employees of standard threshold shifts [STS] when they occurred as required by 29 CFR 1910.95(g)(9). Employees were given a letter stating that their baseline had been changed, but not telling them of the STS.

c) The employer did not ensure the validity of the audiogram by retesting at least one point on each audiogram as required by 29 CFR 1910.95(g)(7)(i).

d) The employer did not refer employees for an otological examination where the medical pathology of the ear was suspected to be unrelated to hearing protection as required by 29 CFR 1910.95(g)(8)(ii)(D).

e) Where audiogram results indicated that the results for hearing for each ear were reversed, testing was not redone as required by 29 CFR 1910.95(g)(7)(i).

f) Where testing results indicated the employee was not responding properly to the audiogram, the employee was not retested as required by 29 CFR 1910.95(g)(7)(i).

Date By Which Violation Must be Abated: 12/09/94  
Proposed Penalty: \$15,000

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 103280020  
Inspection Dates: 05/16/94 - 05/20/94  
Issuance Date: 11/03/94



**Citation and Notification of Penalty**

Company Name: Trade Waste Incineration Div. of Chem. Waste Mgmt.  
Inspection Site: #7 Mobile Avenue, Sauget, IL 62201

**Citation 1 Item 4** Type of Violation: **Serious**

29 CFR 1910.119(j)(2): The employer did not establish and implement written procedures to maintain the on-going mechanical integrity of process equipment:

- a) The person conducting tank inspections was not certified as a qualified tank inspector.
- b) Changes in process are not reviewed as required to determine the effects of change on the process system.

Date By Which Violation Must be Abated: 12/09/94  
Proposed Penalty: \$ 1625.00

**Citation 1 Item 5** Type of Violation: **Serious**

29 CFR 1910.120(p)(6): Where employees will be handling drums or containers, procedures meeting the requirements of 29 CFR 1910.120(j)(1)(ii) through (j)(1)(viii) and (xi), as well as (j)(3) and (j)(8), were not developed and implemented prior to such work:

- a) The worker's procedure for conducting drum decanting of highly flammable liquids did not ensure that the ground was on the drum they were working on as required by 29 CFR 1910.120(j)(3).

Date By Which Violation Must be Abated: Corrected During Inspection  
Proposed Penalty: \$ 1625.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 103280020  
Inspection Dates: 05/16/94 - 05/20/94  
Issuance Date: 11/03/94



**Citation and Notification of Penalty**

Company Name: Trade Waste Incineration Div. of Chem. Waste Mgmt.  
Inspection Site: #7 Mobile Avenue, Sauget, IL 62201

**Citation 1 Item 6** Type of Violation: **Serious**

29 CFR 1910.132(a): Protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered:

a) Employees worked in areas containing extremely flammable materials and at times explosives, but did not wear flame retardant clothing either as their outer garment where chemical protection was not needed or combined with a material rendering chemical protection or below their chemical resistant suits where chemical protection was needed.

Date By Which Violation Must be Abated: 12/09/94  
Proposed Penalty: \$ 3250.00

**Citation 1 Item 7** Type of Violation: **Serious**

29 CFR 1910.134(e)(3)(i): In areas where the respirator wearer, with failure of the respirator could have been overcome by a toxic or oxygen-deficient atmosphere, at least one additional man was not present:

a) The employer had an employee unloading tanker trucks, gaging tanks, and conducting other activities where hazardous waste materials were handled, transferred, and stored at the south end of Unit #4 using respiratory protection such as an air line respirator or other forms of respiratory protection without a second individual present who was capable and able to assist in the event of an emergency.

Date By Which Violation Must be Abated: Corrected During Inspection  
Proposed Penalty: \$ 3250.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 103280020  
Inspection Dates: 05/16/94 - 05/20/94  
Issuance Date: 11/03/94



**Citation and Notification of Penalty**

Company Name: Trade Waste Incineration Div. of Chem. Waste Mgmt.  
Inspection Site: #7 Mobile Avenue, Sauget, IL 62201

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

**Citation 2 Item 1a** Type of Violation: **Other**

29 CFR 1904.2(a): The log and summary of occupational injuries and illnesses (OSHA Form No. 200 or its equivalent) was not completed in the detail provided in the form and the Instructions contained therein:

a) Where employees had been identified as having a Standard Threshold Shift and a recordable hearing loss the loss was not included on the OSHA Form No. 200 which was maintained by the company either as an injury or as an illness.

Date By Which Violation Must Be Corrected: 11/03/94  
Proposed Penalty: \$ 650.00

**Citation 2 Item 1b** Type of Violation: **Other**

29 CFR 1904.5(b): The annual summary of occupational injuries and illnesses (applicable portion of OSHA Form No. 200) for the previous calendar year was not completed prior to February 1:

a) Columns 7-13 were not totaled for the years 1989, 1990, 1991, 1992, & 1993 or zeros were not entered.

Date By Which Violation Must Be Corrected: 11/03/94

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 103280020  
Inspection Dates: 05/16/94 - 05/20/94  
Issuance Date: 11/03/94



**Citation and Notification of Penalty**

Company Name: Trade Waste Incineration Div. of Chem. Waste Mgmt.  
Inspection Site: #7 Mobile Avenue, Sauget, IL 62201

**Citation 2 Item 1c** Type of Violation: Other

29 CFR 1904.5(c): The annual summary of occupational injuries and illnesses (applicable portion of OSHA Form No. 200 ) was not certified as true and complete:

- a) The Plant Managers name was typed in rather than having the responsible party sign and certify the logs.

**Date By Which Violation Must be Abated:** 11/14/94

**Citation 2 Item 2** Type of Violation: Other

29 CFR 1910.120(p)(7)(i): Employees who had received the initial training required were not given a written certificate attesting that they had successfully completed such training:

- a) The employer had established a regular training program for all affected employees to meet the requirements of 29 CFR 1910.120(p), but did not furnish employees with a certificate to show that they had been trained.

**Date By Which Violation Must be Abated:** 12/09/94  
**Proposed Penalty:** \$ 650.00

*Richard W. Taylor*  
for Peggy A. Zweber  
Area Director

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.